### NOW FOR M'KANE'S DEFENCE.

\* PROSECULION'S CASE PRACTICALLY CLOSED YESTERDAY.

More Witnesses Testify as to Col. Bacon's Instilly to Nerve the Education Papers on McKans on Election Day, and About the Attacks on Mr. Gayant's Watchers.

The experiences of the Republican watchers at Gravesend on election day were again the subject of the evidence presented by the prosscution in resterday's session of the McKane trial. The strong testimony that the watchers gave on Wednesday fixing the responsibility of their treatment on the defendant was corroborated by every witness that came to the stand yesterday. Each of them had heard the orders of the Chief when he commanded his policemen to "lock 'em all up," "hit him, anyor suggested some other disposition of them which in his opinion would make the punishment fit the crime.

Not since the trial began has the defendant appeared in such poor spirits as he did yesterday. He entered the court with an expression of anxiety and worry on his face which never left it during the day. He was occupied as usual scribbling on a piece of paper. He spoke rarely and then only to his counsel during the eross-examination of the State's witnesses.

Justice Bartiett announced as soon as court opened that he had decided to exclude the election lists for 1888; and 1881 as evidence. but the lists for 1892 and 1893 he admitted. It was on the objection of the defence that the testimony was excluded. The prosecution closed its case late in the afternoon, except as to the question of the census list, concerning the admissibility of which Justice Bartlett has not yet decided. Whether or not the prosecution will call more witnesses depends upon Justice Bartlett's decision of the question.

Lawyer Roderick will open for the defence this morning. He moved, after the prosecution had closed, that the witnesses who had testified before the Grand Jury for the prosecution be cross-examined by the defence in court. In denying the motion Justice Bartlett. said that it was "indoe ta novelty" to propose such a thing in this State.

in the morning Col. Bacon's efforts to serve the injunction papers on McKane were described by William Whiting, one of the watchers who went down to Gravesend on election Whiting testified that after the Chief had anid "Injunctions don't go here" he saw him turn to one of his policemen and say of Col.

Take him away and lock him up. We don't want any drupken bums down here." After that Whiting was arrested and locked up along with Col. Bacon. When the party had been released on bail one of them asked Judge Newton if they could go back to the Town limit.

Hall.

s. If you choose to But I wouldn't go and have all this trouble over again." there and have all this frouble over again."
was the reply.
Town Clerk Voorhees came back to the
stand and identified the poil lists of the six
districts for 1882 and 1883, which Justice
Bartiett decided to admit. The lists for the
First and Fifth districts for 1882 are missing.
The statements of the result of the election
last November in the six election districts
were affered and admitted, but the statements
for 1889 and 1886 were excluded, and the last
enumeration of the inhabitants taken before
the last election was not admitted, except as

enumeration of the inhabitants taken before the last election was not admitted, except as evidence of the number of the population. Six school lists, which Witness Voorhees ideating the series of the voorhees in the series of the witness of the properties of the number of persons in Gravesend tetween 5 and 21 years of age and their proportion to the number of school shidnes has trabled in three years, although in five years the number of school shidness has increased only forty-seven. On the admissibility of this evidence Justice Bartlett reserved his decision until this morning.

C. Falmedo, gave an account of the party seven.

until this morning.

Another of the Republican watchers, Max C. Falmedo, gave an account of the party's experiences at Gravesend. When the carriage in which he rode was stopped Mr. Groutlooked out and asked for Judge Newton, who stepned up to the carriage. He wanted to know the party's business, and said that they could not go any further, adding. If you do I'll club you. Then Mr. Grout showed the watchers' certificates and the injunctions, saying:

"But we have injunctions, saying:

"But we have injunctions here signed by Justice Harnard of the Supreme Court.

"Joh't give a God damn for any injunction of the Supreme Court or Judge Barnard either." was Judge Newton's answer, according to Palmedo.

The stories of the attacks on Herbert S. Worthley and Dr. J. H. Marshall, which were told first on Wednesday, were corroborated by Palmedo. The cross examination was devoted to bringing out an endless mass of detail about the personal appearance of the man who said he was Judge Newton. Lawyer Roderick wanted to know whether the man wore a light coat or a dark one, a soft hat or a stiff one, and no part of his dress was passed until the witness had described it with particularity.

"I must do as Mr. Mchane tells me." was what Policeman 70 told Witness Lewis Stotoer when he arrested him at Gravesend on election day. Mr. Noober is a lawyer, and went down with the Gavnor watchers. He was with Col. Hacon, and saw him knocked down three times after McKane had ordered the policemen to "husted all bose men off." The policeman who arrested the witness seized him by the lack of the neck and tore the flesh with his who arrested the witness seized him by the back of the neck and tore the flesh with his finger nails. After a while he consented to re-lease the witness and led him back to his car-

lease the witness and led him back to his carriage.

John H. Mason, a detective, engaged by Justices Gaynor to watch the electors at Graves, end, gave an account of his experiences there, hie went down with sixteen men and stopped at Thomson's Hotel at Concy Island. Early on the morning of election day the party started over the railroad treatle to Gravessend. On the treatle they met a crowd of about fifty men, who had seen them approaching from Concy Island, and had run down to meet them. Others from the crowd in front of the Town Hall hurried up and halted in the rear of the first gang. These are the men whom Capt. Hinman sert down to intercept the Gaynor men coming from Coney Island. They were armed with sticks, heards, and tence pickets. Two short men, wearing rough gray coats and caps, were in command. One of these is said to have then Sergeant Griffen of the Graves-end police.

and police.

Who are you and where do you come from?' was the question asked of the daynor men by the leader of the Gravesend party.

We're from brooklyu and are going to the Town Hall." Town Hall."

"Then you'd better get back where you belong," said the leader of the travesend men, and the Gravesenders waved their clubs ominously. They were in the proportion of three to one, so the Gaynor men withdrew to the travel hand.

ominously. They were in the proportion of three to one, so the Gaynor men withdrew to Coney Island.

More testimony about the trip of the Gaynor watchers to coney Island was given by Frank W. Balms, who rode down to Gravessend in the carriage with Mr. Grout. He testified that he had heard Mr. Grout ask a policeman who was keeping guard at the imaginary lines where he could find John Y. McKane.

Oh you can't see him to-day," answered the policeman, who was number cleven. "He's gone up in a halloon."

Halms described the attack on Mr. Worthley and other violent acts of the police and citizens. Another witness of the scenes at Gravesend was Dr. Joseph H. Marshall, who has figured so far in the testimony of the witnesses." as the gestleman who had his whiskers united. He is the possessor of a luxurious heard, a rich dark brown in color but hardly long enough to afford a good grip. He said that he had seen Cot. Bacon and Mr. Worthley knocked down. Then a policeman came up to him and told him to get out of the town.

"Then he seized me by my whiskers and shock me vigorously while somebody nunched me violently in the side," said the witness in a tone of sad resonment.

William J. Buttling's signature to one of the watchers' certificates was identified by Robert B. Sedgewick a derk in the Sheriff's office and secretary of the flepublican Campaign Committee during the autumn.

Charles H. Hyde, a cierk in Justice Gaynor's office, told more of the efforts to serve the injunction papers at Gravessend on election day. While the argument over the admissibility of the watcher's certificate as evidence was in progress, ex-Judge Troy made a statement which seems to indicate the line which the defect the statement which seems to indicate the line which the descriptions."

which is seems to indicate the line which the defence may foliou.

We dray the validity of those watchers'
certificates, he said. He questioned the witnoises of the irravesend eccurrences closely
esto the place and manner in which the certificates were given to them. The lawyers for
the defence have made a point of these questions every day on the cross-examination.

William H. Farmenter and William K. Wardner, each of them Republican watchers at
Gravesend on election day, gave more particulars about the attempted service of the injunction papers and the treatment of them
and their associates at the Town Hall and
Michael E. Moore, another watcher testified
to the same occurrences.

The defence will attempt to prove that MeSane's opposition to the itaruor watchers was
legal, as only two watchers were allowed from
each party, and they were alreads at the polis.

## The Police Suspect Foot Play.

Mary Ann Burns, 30 years old, was found dead in bed at her home. 112 Forsyth street, on Monday. There were indications that death might possibly have been due to vioiesce, and on Wolnesday Joseph Connery, who had been living with the woman, was arrested. It was ascertained that the couple quartelled frequently, and that on Monday Connery arose easy and went out thorstly afterward the woman was found sead. Connery was remaided in the Essel Market Police Court resterday. PLANS OF SI. PAUL'S M. E. CHURCH. It Has Falled to Get the file it Wanted for a Building in Mariem.

The proposed union of St. Paul's Church, which meets in the Methodist Episcopal Book Concern building, and tirace Church of liar-The trustees of St. Paul's Church have been negotiating for the purchase of ten lots at the northwest corner of West End avenue and 100th street. The executors of the estate owning the property insisted on conditions that were not acceptable to the trustees,

and so the project failed.

Methodists generally considered the proposed move a good one. When St. Paul's sold its old site at Twenty-second street and Fourth avenue to make room for the new Charities building there was great opposition on the part of such leaders of the denomination as Dr. C. C. McCabe, Secretary of the Missionary Society, and Dr. J. M. Buckley, editor of the Oberetion Adequate. They considered that a great mistake had been make. At the annual conference a year ago "Chaplain" McCabe presented a set of resolutions consuring the thurch Board, but the resolutions were laid permanently on the table. There are, nevertheless, many old Methodists who believe that St. Paul's Church belongs down town, where it St. Paul's Church belongs down town, where it has always been, and that its great weath might be used for the advancement of Methodism among the poor of the east side. The trustees of the church received \$300,000 for their former property. The Rev. Dr. A. J. Falmer of 440 west End avenue is their pastor, and the average attendance at the sunday services in the Book Concern building is said to be about seventy, though one member said that on bleasant days it sometimes exceeded a hundred.

No termal proposition looking to a union of

the two churches has ever been made, but everyhody knew that if St. Paul's Church built a handsome edifice on 100th street, the main source of its new membership would be Grace Church on 105th street, a mission field under the pastorate of the key. E. S. jipple. The average attendance at the services of this church is about 500, and almost all of them are young people.

Another proposed union

### STATE ROLED OF CHARITIES.

The Beneficiaries If are Increased Recently Four Times as Fast as Population.

ALBANY, Feb. 1.-The twenty-seventh annual report of the State Board of Charities, sent to the Legislature to-day, contained a tribute to the memory of Its late President, Occar Craig. The total expenditures for charitable, correctional, and reformatory purposes for the fiscal year ended Sept. 30 were \$20,407,082, as State institutions expended \$3.827.912, the county and city institutions \$3.941.907, and

county and city institutions \$3.041.907, and the incorporated behaviolent institutions \$12.10.84,100. The whole number of beneficiaries of the various institutions was \$9.542 as against 70.807 last year.

During the ten years between 1883 and 1893 the expenditures have doubled, showing a ratio of increase nearly four times greater than that of the State's population. The Board thinks that much of this increase in the insane, as well as the increase in pauperism, in the State comes from the greatly increased immigration from central and southern European countries, many of them weak and defective, with tendencies to Insanity.

The Board urges the establishment of a colony for epileptics, and repeats its recommendation of last year that a new reformatory for men be established near Now York and Brooklyn. During the year 128 crippled, blind, lunatic, or otherwise infirm allen paupers were removed to their homes in different countries of Europe at a total expense of \$4,202.

### NO LICENSE FOR MR. OCHS.

His Shifting of the Doors of His Proposed

Saloon Didn't Help Him. Justice Gaynor has continued the injunction restraining the Excise Board in Brooklyn from granting a license to Ernest Ochs for a saloon at De Kulb and Franklin avenues. When Mr. Ochs started out to get a license, he closed up the door on the De Kaib avenue side of the building, and opened one on the Franklin ave-

building, and opened one on the Frankliz avenue side. His object was to evade the law, which prohibits the entrance to a saloon from teing within 150 feet of a church.

The De Kalb Avenue Methodist Episcopal Church, as the building was arranged originally, was within the proscribed limit. Mr. Ocha's transformation of the premises increased the distance between the saloon and church entrances to beyond this limit. As Mr. Ocha's application will now have to go before the new Excise Commissioners, there is not much chance of the license being granted.

#### New Receiver tor the American Steam Ball r Company,

Judge Truax of the Supreme Court has renoved Thomas F. Powers, receiver of the American Steam Boiler Insurance Company. and appointed in his place Henry S. Ward, who is required to furnish a bond of \$50,000. Mr. l'owers was formerly one of the directors of the company. It appeared that the officers of the company had organized a new company in Baltimore, called the American Casualty Insurance and Security Company, and turned over the business of the old company to it. The old company had a paid-in cash capital of \$1,000,-000 and a surplus of \$00,000. There has been raid to the stockholders of the old company about \$500,000, which would leave over \$500,-000 to be accounted for.

The Court was asked to remove Receiver

The Court was asked to remove Receiver lowers and appoint a disinterested person, ecause it would become the duty of the re-eiver to investigate the condition of the comany to ascertain whether proceedings should a taken against the former officers either for he misappropriation of money, the improper loss of money.

More Indictments for the Gravesenders. Among the indictments handed down by the Grand Jury of the Court of Over and Terminer in Brooklyn on Tuesday were fresh ones against John Y. McKane, Justices Newton, Sutherland, Stryker, and Gladding, Tax Collector Charles Morris, and the eighteen inspectors of election at Gravesend, all of whom are charged with conspiring to violate the election laws. Mr. Wernterg, one of the prosecuting lawyers, wernierg, one of the proceeding lawyers, furnished the Sheriff with warrants for the arrest of the Gravesend officials, Most of them surrendered themselves at the Sheriff's office, but were not held, the formality of giving bonds hefore Justice Gaynor, whom they regard as the cause of all their misfortures, having been deferred until to-day. With the exception of Justices Stryker and Gladding and Tax Collector Morris they are all under indictment already.

he names of the alleged Brooklyn election offenders who have been indicted have not yet been disclosed, but they will probably be known to day. It is said that only one city official is included in the batch, and that the other indictments are arrainst election in spectors in the Ninth ward. The trand Jury is still in session, but must make its final report to morrow.

port to-morrow. E retlos Cases to He Tried Next Week. District Attorney Fellows, assisted by Assistant District Attorney Wellman, will try a number of election cases in the Extraordinary Term of the Court of Over and Terminer, beginning on Monday. These are the cases that

are likely to be selected: Peter Neville, John Santing, and John Kiley, Twen y eighth Fire ion district, Fourt's Assembly district house McWahon, John A. Dunphy, and Charles A. Thomas McMalon John A Dumphy and Charles I Bague. Twenty nath Birction desires, highly Assembly district. Fargat J callagher Bents J Bloking, Joseph T Anderson Startes Madaes, Hannah E Bloking, Joseph T Anderson Startes Madaes, Hannah E Bloking, and James Harrold, Egythernit Election Harry, become Madaes the Malace Harrold, Fartreek Engreis William 10, Rochely, Charles Bokaena Nichael Colinion, and Henry Mercuckhoff Fifty-dret Election district, nexemble Henry Mercuckhoff Fifty-dret Election district, nexemble Henry Mercuckhoff Fifty-dret Election district, nexemble Henry Mercuckhoff Fire-ton district, nexemble Henry Mercuckhoff Fifty-desired Manual Fifty-desired Manual Fifty-desired Resident Matter Startes and Mercuck J Kannah Mercuckhoff Manual Fifty-desired Belevies Modalan J. Silina and Martin J. Marokes, Politicash of Startes Foothy asventile historian district Scholl Assembly district Fibrid Assembly district Fibrid Assembly Startes Fift-desired Election district, Section Election district.

## Blds for Printing.

The Board of City Record opened bids yesterday for printing and lithographing required by all the city departments except the Boards of Education Freiss Police and Docks. The bidders were Martin B. Brown, William P. Mitchell, M. Schlesinger & Brother, the Jordan Frishing and Stationery Company, and John F. Jahn. The contract will amount to about \$1,000. The bids were referred to the Super-visor for tableation. BROOKLYN'S NEW RULERS.

SCRIEREN'S ADMINISTRATION FULLY DEGASIZED.

Eight Years of Democratic Control Ended-Police Political Palls to be Discontinued -- Fir, men Who Shirk Daty Must bet Out The control of the various municipal departments in Brooklyn changed hands yester-day, and the administration of Mayor Schieren,

under Commissioners of his own choice, began. For eight years Democratic officials had been in control of all the departments, and their return to private life was naturally attended with some regrets. Most of the Democratic subordinates who have been left behind, and who are not protected in their places by the Civil Service law, feel that their days are also numbered, and are preparing to follow their chiefs into retirement. Leonard R. Welles, the new Police Commissloper, and Granvillo W. Harman, his deputy,

were on hand bright and early. The ceremony of introducing them formally to Superintendent Campbell, the Inspectors, and Captains was performed by Henry L Hayden, the retiring Commissioner. Mr. Hayden told his successor that he would find that the police force of Brooklyn was second to none in the country in discipline and efficiency. Commissioner Welles made a brief address. He said that the intention of the Mayor was

that the department should be thoroughly non-partisan, and that his wishes in that respect would be respected and obeyed. coliceman who had no higher ambition than to draw his salary was in the wrong line of

Pernicious political activity," he continued, which has so marred the efficiency of the force, must cease. The day of 'political pulls' s past. The advancement of officers and patrolmen will depend upon merit and not upon political influence. The independent right of citizenship is not lost by the policeman, and his privilege to exercise it as his conscience dictates will not be disturbed; but at this point political activity must cease. The protection of life and property is the only duty of the police, and that duty faithfully performed will consume all their time and energies."

Commissioner Welles does not propose make any changes or do any shaking-up in the lepartment for some line at least. In a few weeks, however, there are likely to be some transfers among the Captains and Sergeants. The Excise Department has been organized, with Commissioner Welles as President, Commissioner George B. Forrester, Secretary, and Commissioner Joseph C. Hacker, Treasurer, Hermann H. Michaells is the new cashier and John H. Carl assistant cashier.

Alfred T. White, the new City Works Commissioner, signalized his advent to office by sending a notification to the various bureaus that they must be kept open until 5 o'clock

that they must be kept open until 5 o'clock, instead of 3 o'clock, as formerly. A city ordinance provides that the various offices are to be closed at 1 o'clock, but there is not likely to be any kicking - ver Mr. White's order Mr. White dropped Deputy Water Purvevor D. J. Haggerty and a few other Democratic subordinates, and intends to get along, if possible, without filling their places.

Dr. T. Tavior Emery. the new Health Commissioner, dismissed Dr. Henry M. Pullwinkle from Lis place as superintendent of the contagious Disease Hospital, and appointed in his place as superintendent of the contagious Disease Hospital, and appointed in his place br. Jesse T. Duryea. A Democrat, who has been for some time superintendent of the Flatbush Hospital.

Hegister of Arrears Fred W. Hinrichs, the representative of the anti-snap brigade in Mayor Schleren's cabinet, appointed A. I. Sessions, another anti-snapper, as his deputy and Fred C. Manuel cashier. H. M. Faughnan, a veteran Jemocratic clerk in the department, was unceremoniously bounced, although he begged for a monta's grave so as to get an opportunity to seek some other employment. Mr. Faughnan has a wife and ten children, and has almost lost his sight during his long years of official service.

Fark Commissioner Frank Squires appointed H. Smith paymaster. Tax Cellector R. Ross Appleten appointed John T. O'llare chief clerk.

Fire Commissioner Wurster has appeared Clarence Harrow, a stalwart Republican, as his deputy. Mr. Ennis retired from office without appointing a successor to Chief Engineer Thomas F. Nevius. His explanation

Clarence Barrow, a statwart reputsican, as his deputy. Mr. Ennis retired from office without appointing a successor to Chief Engineer Thomas F. Nevins: His explanation was that Mr. Nevins's retirement did not take place until yesterday, and that being out of office he had no legal right to make any appointment. The Democratic leaders were anxious that Mr. Ennis should have appointed Assistant Engineer Dale, and his failure to do so has caused some friction. Mr. Dale is now acting as Chief Engineer. Commissioner Wurster, in an address to the members of the denartment, which was read at all the engine houses last evening, said:

Members in this department possess privileges and receive compensation far superior to those enjoyed by the mechanic in civil life, who, after serving an apprenticeship of five years at small wages, seldom make even when steadily employed as much as a third-grade

years at small wares, selvium make even when steadily employed as much as a third-grade lireman. The mechanic is not raid when sick or out of work, and in case illness or old age should incapacitate him for work he receives no pension or further wages from his employer.

Every man who wears the button of this department wherever he goes represents it in the eye of the public and should so conduct himself as to be a pride to the citizens who are taxed for his maintenance. Those who shirk duty and violate the rules and regulations are out of place in the department, and the sooner they leave it the butter for the service and those who remain.

Ex-Park Commissioner Brower gave a dinner to ex-Mayor Boody and the retiring Commissioners on Wednesday night, and Mr. Boody carried away a solid siver pitcher as a present from the members of his cabinet.

To-day being the Feast of the Purification. or Candlemas day, special services will be held in all the Roman Catholic churches. At the cathedral there will be solemn blessing of the candles, followed by solemn mass at 9 o'clock. After the blessing of the candles a procession will take place through the aisles of the church, each of the ministers carrying lighted taper taken from among those bleased, and signifying the appearance of thrist, the light of the world. In the temple. The sacrament will be reposed in the takernacle during the celebration of the purification function, and will be exposed again immediately after its conclusion, for the adoration of the latiful, during the day. As is sustamary in the Cathedral, there will be regularly organized bands of adorers from the League of the Sacred Heart to watch tefore the sacrament. Solomn services in the evening will begin at 8 o'clock. A sermon on 'Our Contradictions of Christ' will be presched by the director of the League of the Sacred Heart. At the conclusion of the sermon benediction of the sacrament will be lighted taper taken from among those blessed. of the Sacred Heart. At the conclusion of the sermon benediction of the sacrament will be given.

## Mrs. Hernstein's Strange Hehnvior.

Mrs. Rachel Bernstein of Astoria went into the office of Joseph Simons, a dealer in tiles, at 17 Fast Fifteenth street, resterday afternoon. and began to abuse Mr. Simons, alleging that he had swindled her husband. After trying vainly to induce the woman to leave, the proprietor had her arrested. He then sent word prietor had her arrested. He then sent word to her husband, and all three arrived at Jefferson Market Courttogether. Mr. Hernstein told Justize McMahon that he feared his wife as mind was unsettled. Mr. Simons declined to make a complaint, and Hernstein was instructed by the Court to take his wife home.

She went as far as the hallway, then stopped, and insisted on returning to court, where she made a variety of allegations against both Simons and her husband. Again she was taken out, and in the lobby she attacked Hernstein with her umbrella. After a struggic she was subdued and taken away by her husband.

The Billroom Burned After the Ball.

Just as the last of the revellers who attended the ball of the Joel Parker Association were going away at 7 o'clock resterday morning one of the late stayers discovered that the stage in Saenger Hall was affre. The house fire apparatus was used until the engines arfree apparatus was used until the engines arrived and it thi good work in checking the flames, which were creeping up to the roof. The flremen after working two hours, saved the tuilding. The damage is estimated at \$10.000. The building belongs to Judge Gott-fried Krueger, and is leased by Beda Voigt.

Backstader's E d Man Seeks a Divore . John H. Salmond, stage name Symonds, one of the end men of Bockstader's Minstrels, was plaintiff in a suit for absolute divorce before Judge Dugro of the Superior Court yesterday. His wife, Charlotte, did not defend. She is a buriestup actress kanwa as Lottie West Symonds. The co-respondent is Austin H. Roberts an actor in the "America" company. A decree will be granted.

Two Per Cent. on City Balances. The Bank Commission met resterday in the Mayor's office and designated the same banks as depositories of the city funds as have rereived their heretofore. The rate of interest was fixed at 2 per cent. which is one-half per cent. lower than formerly. The banks have pleaty of money gow, and will not car big interest. NO COMMISSION TO HOBOKER.

To Ask Lawyer Hargous Questions He Can Step Over Mere to Assuer,

Justice Lawrence has denied a motion for a Commission to Hoboken to examine Lawyer Peter A. Hargous as a party defendant in an action brought by Mary Burmelster, the widow of George H. Burmelster, to recover possession of the property on the northwest corner of Forty-sixth street and Eleventh avenue. which is valued at \$20,000. Lawyer Hargous formerly had an office at 280 Broadway, but allegations are made in the papers in the case that he has not been there for several months,

although in daily communication with his

Joseph H. Adams in September, 1878, secured a judgment in the Court of Common Pleas against George H. Burmeister and others for \$005. Under this judgment the property in question was sold to Adams for \$500. Later, Adams agreed to accept \$500 in settlement of the judgment and to convey the property to Burmeister and cancel the judgment.

Peter A Hargous was the atterney for lurmeister, and, it is alleged, received the money to pay over to Adams and obtain the deed of the property. It is charged that instead of doing this he had the property conveyed to Oscar F. G. Magie, who was his partner, who in turn conveyed it to Fannie A. Lowenstein. Burmeister brongit the suit charging that the conveyance of the property was the result of a conspiracy to defraud him out of it. He died last beptember, and now the suit is pending in the name of his widow. Hargous claims a lien on the property for professional services and money lont. He denies that there was any conspiracy. erty in question was sold to Adams for \$500.

and money lent. He denies that there was any conspiracy.

Airs. Lowerstein applied to Justice Lawrence for a Complission to be issued to take the evidence of Lawrence for a Complission to be issued to take the evidence of Lawrence states that his evidence was necessary to be used on the trial. Mrs. Burmeister opposed the motion and man affidavit she declared that Hargous would not come into the jurisdiction of the court nor submit himself to a personal examination on the witness stand in orea court. She alleged that he has taken up his residence temporarily in Housken in order to evade arrest by the Sheriff under a commitment granted by Judge Beach nearly a year ago, because of his faiture to pay to John R. Ford 22,000, moneys belonging to him.

CHECKS CERTIFIED ON DEC. 20 GOOD, Decisions in Several Cases Arising From the St. Nicholas Bank Fatture,

Justice Barrett decided vesterday several cases of applications by creditors and depositors of the St. Nicholas Bank to compel Receiver Hugh J. Grant to pay over to them moneys collected by the bank upon checks deposited the day before the falkire, it being alleged in one or two instances that the officers of the bank knew that the institution was in solvent and that it contemplated closing its

Upon the application of Levi C. Lathrop the Judge decides that Receiver Grant should be instructed to pay the amount of certified checks in question -\$74.741.80 -upon the production of such certifications and proof of their ownership. These checks were certified on Dec. 20 and ought to have gone through the Clearing House, the Judge says. He says that the just and equitable course is to execute the clearances which should have taken place on clearances which should have taken place on the morning of Dec. 21, and to leave all the parties as they would have been but for the refusal of the Clearing House to perform its

parties as they would have been but for the refusal of the Clearing House to perform its lawful function.

If the application of Nathan L. Reers, banker and broker, is granted so far as to require the payment us the re-eiver of \$2.175.

The motion of Julius A. Kehn, a depositor, was for the lawrient to him of \$21.57. His application, so far as it proceeds out the ground of traud, is denied, as there is no proof that his deposits were received in contemplation of insolvency on the part of the bank. There is as a matter of fact, no proof of insolvency, and no proof that the officers of the bank were aware of the conclusion arrived at by the Hanzing Superintendent. His apprication is donied, except as to the certified chock of George W. Batch for \$9.848, which Mr. Kojin has taken up. The Court holds that he is entitled to the payment of this sum as the assignce of Mr. Baich. As to the rest, he may renew his modification upon further papers, or bring an assist the receiver if he is so advised.

Deeker, Howell A.Co.'s motion for the recovery of \$10,000 is denied, with leave to apply again to the Court after the insolvency of the bank shall have been adjudicated upon. They may apply, it so advised, for leave to bring an action against the receiver.

A similar motion in behalf of Adam Dutenhoefer to recover a \$4,000 check is denied, because no fraud is shown.

## RAN A QUIET LITTLE BOOK.

at the Coleman House.

Information reached Inspector McAvoy ecently that a man was running a betting pook in a quiet way at the Coleman House. The Inspector sent Policeman Owen H. Beagan to investigate. Beagan found his man sitting in a little private enclosure near the entrance to the hotel bar, and began a conversation with him. After a few remarks Hengan said:

"Is there any place around here where I can good thing that I want to play for a deligra. "I'm deligra." Why, I'll take a bet," said the man. "I'm in that line myself a little, but its pretty well on the q.t." Oh. certainly," said Beagan. "I want to put \$2 on l.titl. Dutchman to win the first race put \$2 on l.titl. Dutchman to win the first race put \$2 on l.titl. Dutchman to win the first race.

at New Orleans."
"Odds are Sto 5. Here's your ticket." said the man, taking Beagan's money and entering the bet in his boat. the bet in his book.

Bengan immediately arrested the book-maker, who said he was William Francis 23 years old, of 117 East 128th street. At Jefferson Market Police Court yesterday he was held in S50s bail for examination on Monday for violation of the peer room law.

## MURDERLD HIS BROTHER.

Jose House, Probably Insace, Kills His

Brother Alf. ed with a Rager. MIDDLETOWN, N. Y., Feb. 1.-Jesse House, who lives on a small farm at Gardnersville. eight miles from this place, on the Susquehanna and Western Bailroad murdered his brother Alfred, aged 60 years, at 7 o'clock brother Alfred, aged 60 years, at 7 o'clock this morning. He then tried to kill himself. Alfred was miking in the barn when his brother came up behind him, knocked him backward off the stool, and cut his throat with a rasor. Alfred was dead when his body was found. After committing the deed the murderer went into the house and said to his wife: "I have done it." He then cut bis own throat with the same razor. He will probably die. Jesse has shown symptoms of insanity, and once before tried to take his own life by swallowing laudanum. owing laudanum

## The Contest of A. G. Bull's Will.

SARATOGA. Feb. 1 .- The contest of the will of the late Augustus Gerald Hull of New York and Saratoga, who committed suicide in this village last spring, was concluded this morning before Surrogate Feters. The decision is ing before Surrogate reters. The decision is reserved. The estate is valued at \$270,000, mainly real property in New York city, and is the remainder of large legacies inherited by Ruil from his father and uncle. Hull was a childless widower, and by his will leaves his property to the mother and daughter of his discessed wife. Mrs. William M. Strong and daughter of Colten's Bridge, Westelester county. M. Britain Sayre of liaitimore, Mr. a first cousis, and the only next of kip of the testator, is the confestant. a first cousin, and the only testator, is the contestant.

#### A Savings Bank Asks the Court to Scale Doun Beposits.

DOVER, N. H., Feb. L.-Bank Commissioner gford, with the trustees of the Cocheco Savings Bank, joined this noon in a petition to Chief Justice Doe to scale down the deposits in the bank 15 percent. The shrinkage in the in the bank to percent. The shrinkage in the assets is chickly in the value of railroad securities held by the bank for a number of years, which have decreased in price, and their present market value is such that the trustees and Commissioner left this step to be necessary. It is believed by the commissioner that the dejunitors will realize more from this scaling than if the bank went into the hands of a receiver. The bank will continue business as

## Surplus to Philadelphia's Treasury.

PHILADELPHIA, Feb. L.-City Comptrolle-Thomson to-day submitted his report for the year 1853 to the City Councils. It shows the revenues of the city from all sources to have been \$30,196,015, and the expanditures \$27,197,192. The total cash assets on Jan 1, 1864 were \$6,485,743, and the total liabilities \$6,296,497, having a surplus in the city's treasury of \$1,248,745.

Boston's Greeting to Justin McCarthy. The Mosauth Monument Association Pale Bosron, Feb. 1.- Mayor Matthews has cabled the following to Mr. Justin McCarthy in relation to the Home Rule meeting held in this city last evening: city hast evening:

June McCarby, Home of Commune, Louise, Espinal:
Rishinanatic reception accorded the Hon. Edward
Blake, One thousand pounds result of meeting. Friends
of Ireland in Massachinette will de their duty.

Ballies Matthews. Sayur.

husband went with him, declaring that where his brother went he would go. Some time before my husband left me he tried to kill himself with chloroform.

After Tompkins left me. I went with my children to Pulaski street, and began at dressmaking again. Isseently, when I made inquities about Tourpkins is discovered that he had married the widow Falmer.

Lawyer John P. Dennelly, who appeared for Tompkins, tried to show that Mrs. Tompkins was a bigmuist, and that she had never been legally married to Tompkins. Mrs. Tompkins jumped to her feet and deursched her marriage certificate in the lawyer's hee.

The flev, Mr. Koorner testified to marrying Tompkins and Mrs. Josephine Falmer last month. He identified the couple in court, and said he could not be mistaken. He also showed the marriage register.

DR. TOMPKINS'S TWO WIVES.

A DENTIST CHARGED WITH BIGAM!

BY A DRESSMAKER,

Says She Had a Husband When He

Married Her-She Says That Husband Was Also a Bignmist, so She Was Free,

Police Justice Goetting of Williamburgh will

decide to-day whether or not he will issue a

warrant for bigamy against Dr. Clarence Tompkins, a dentist in the office of Dr. Post,

had married in October Josephine Palmer.

Driggs avenue and South Fifth street, Wil

I am a dressmaker and well able to sur-

he already had two wives. One of these, I be

who was among the spectators.]

bigamy.

month. He identified the couple in court, and said he could not be mistaken. He also showed the marriage register.

Lawyer Thornley said he remembered when Tompkins and his wife called upon him and paid him sile; to array the liegner marriage. At that time, and are Thornley. I told them to get the evidence, although in my mind, according to what liegner told Mrs. Tempains a lier she married him, there was no need of annulling the marriage, since he was already married. I went to king they excert times, and in the presence of the Warden asked flaymer anout his life, but he refused to give me any information. Are, Tompkins also went there and met with no better success. The case was held open by me, and so far as that is concerned, is open yet. While I learned that Heymer was believed to have two wives. I could never heads them. Heymer, from what I have heard, has since died. On Jan, it I served papers for an absolute divorce upon statuory grounds.

Mrs. Tompkins on the part of Mrs. Tompkins on statuory grounds.

Mrs. Tompkins was recalled, and said that Heymer was killed in March last on the Long Island alfront, of which he was a brakeman. She added that when he came out of prison he married again.

Fred Heymer, the brother of Martin, told the

Fred Hermer, the brother of Martin, told the Fred Hermer, the brother of Martin, told the Court that Martin was always of a roving disposition, and while heating t know much about the matter, he knew Martin was living with two women tefore he went to prison, but he didn't know whether or not Martin was marting to atther. ried to either.

Justice to etting said he would reserve his decision until to day in order to read the evidence, and, if the case warranted it he would issue a warrant for bigamy ngainst Tompkins. The latter was remanded. It was said afterward that the widow l'aimer would also institute proceedings for divorce against Tompkins. Tompkins, before his marriage to her, told her, it is said, that his marriage to Mrs. Tompkins was illegal because lieymer was alive when it took place.

## Bills the Comptroller Objects To.

Comptroller Fitch has written letters to the New York city Senators and Assemblymen, expressing his disapproval of some of the bills introduced in the Legislature. One of them s Senate Bill 162, which proposes to release the tax on the \$250,000 left by the late Gen. George W. Cullom for a memorial at West Point. The tax amounts to \$12,500. It had already been contested before the Surrogate, and the case was decided in favor of the city. An appeal has been taken to the General Term, but rending this appeal an attempt is lieing made to defeat the city by legislative proceedings. Comptroller Fitch says that if the true character of the bill becomes known in Albany it will not be passed. He is also opposing the bill to make the city pay thirty-eight cents a day for each child cared for in the bables' ward of the Post Graduate Hospital: the bills to allow horse cars and public conveyances to cross the 155th street vinduct and Macomb's Pam Bridge, and the bill to permit the Board of Education to compel the city to issue \$2,500,000 of bonds for its uses. already been contested before the Surrogate,

The Champagne Agent Wouldn't Move On. Henry de Backelean of 120 West Twentysecond street, an agent for champagne, got into an alterestion with Policeman Kent of the West Thirtieth street station, at Sixth avenue and Twenty-ninth street, on Wednesday night, and when the officer told him to move on he drew back his cane as if to strike heat. East knocked him down gad took him to the station house. He was arraigned at defers in Market t ourt yesterday, and, on applogizing profusely was discharged.

Bustness Troubles Led Him to Jump. It was business troubles that caused William Brunner, manufacturer of embroideries at 144 and 14 South Fifth avenue, to end his life by jumping off the Washington Bridge on Wednesday afternoon. His wife with whom he lived at Sid Tinton avenue, fearing that he would one day kill himself used to necompany him wherever he went. When he left her on Wednesday he said he had business of unusual importance on hand and did not wish her to come with him.

## Cohen Convicted of Forgery

John Cohen, on trial in the General Sessions pefore Judge Martine upon an indistment charging him with forgery in the third degree in forging the signature of his brother, Samnel Cohen, upon a chemi for \$22, was convicted yesterday, and was remainded by Judge Martine to await sentence. Cohen is the man who was allowed to withdraw a plea of guilty, saying he had entered it under a misunder-standing.

#### Bumped Into the Tauric. The pilot boat Actma came in vesterday

her bulwarks on the starboard quarter smashed. She had run under the lee of the White Star steamship Tauric while making ready to send her a pilot on Tuesday, and had been blanketed by the lefty-sided freighter. Her sails shivered, and ahe awang stem on against the Taurio. That is the way she lost a part of her bulwarks. She was not other-wise damaged.

Mayor Gilroy has promised to open the fair the Rossuth Monument Association at Arevening. Feb. 6. Hark's place on Tuesday evening. Feb. 6. The proceeds of the fair with be added to the monument fund. Some of the attractions of the fair will be a ministure of the n-tunment and an interesting collection of Accounts relica. lington Hall 19 St. Mark's place on Tuesday

# HODGMAN'S **OVERSHOES**

Prevent Colds and Falls.

Broadway, 21 West 21d St.,

THE FATE OF THE DESTROYER. It Boss Not Determine the Question of Merit

in Grand street, this city. Tompkins is in liaymond street jail. He was arrested a week to the Submarine Gun Mystem, ago, having been charged by his wife, Catho WASHINGTON, Fels. I. - It looks now very much rine Tompkins, a dressmaker at 278 Pulaski s if the novel war vessel once known as the street, Brooklyn, with abandonment, When Destroyer, but in her recent days sailed the she applied for the warrant about ten days firsting, might end her career by going to ago she said Tompkins deserted her thirteen places at Pernamburo, where she now is.

How she came into her present position is months ago, and that recently she learned be familiar history. While engaged inst year is widow, with whom he was living at the time

of his arrost. Tompkins's trial was set down testing torredo nots at Newport with nor subequatic weapon, she was covered by the Peixoto Government, which was then enfor yesterday, and Mrs. Tompkins subportage as witnesses the Rev. Theodore F. Koerner gaged in gathering up various craft that could pastor of the Emanuel Lutheran Church at he used in extemporizing a fleet with which to attack the insurgent squadron of Mello. As Hamsburgh: Lawyer John W. Thornier of the city, and Fred Heymer. Mrs. Tompkins tele the United States to vernment merely held an option on the vessel, the exercise of the Court she didn't want any support from Tompkins, nor to prosecute him for abandonmight depend on it-passing the required tests favorably, and as it was for the interest of ment, but that she wanted him punished for Brazil to get the moral effect of owning this craft, with its name ominously suggestive of how it might serve the Aquidaban, to say nothing of less important rebel ships, an arport myself and two children," Mrs. Tompkins continued. "but he treated me so basely that rangement was made for its sale. As has been I am determined to have him punished for marrying Josephine Palmer, that widow sitfully stated, there was a dispute among those oncerned in her about the advisability of letting over there. Here Mrs. Tompkins pointed to a young woman dressed in mourning ting go the conditional hold on our Govern ment for another hold, to a large extent, if no "I was only 18 years old when Martin Heywholir conditional, on Brazil. But it is said that the price offered by the latter was larger mer, my first husband, if ever he was my husthan was looked for from our Government. band, met me and induced me to go through The voyage of the Bestroyer to Brazil fol-

what he said was a marriage ceremony. He was sent to Sing Sing soon after for four and owed. It was arranged that she should be towed, which was an expensive labor, but was a half years for grand larceny, and when I called upon him in prison shortly after he told deemed advisable, as she was a harbor defence eraft rather than a sengoing cruiser. The first me I was not his wife, as when he married me thing heard was that the Destroyer had to be leve, is now dead, and I do not know whether the other is yet hiving. When I first met Tompkins I told him of my relations as wife to hisymer and Tompkins assured me that my marriage to fleymer was void. He induced me to become his wife, and a fiew Mr. Schneihauled up on the way for repairs; but finally she reached Pernambuco. From that point came a despatch alloging that she was leaky. had broken her propeller, and had nearly me to become his wife, and a fiev. Mr. Schneider in New York married us.

After I was married to Tompkins I was a little nervous about my marriage with Heymer, and taked the matter over with Tompkins. I suggested that the marriage with lievmer should be annulled. We called down Lawyer Thornley in his office in Park place. New York, and paid him \$150 to legin proceedings to annul the Heymer marriage. Figure 10 not think it was ever annulled. My marriage to Tompkins took place in March 1883. We lived happly together until about lifteen months ago, when, while we were living in Martin avenue, near Erondway. Williamsburgh where he had a death establishment, he brought the brother to the house and insisted that his prother should be treated the foundered on the voyage and that Peixota had refused to accept her. Broken propellers can be repaired and leaks can be stopped; but as it is said to have cost \$12,000 to tow the Destroyer to Brazil and might take \$10,000 to bring her back exclusive of the repairs and as a large amount of money is said to have been expended upon her to make her capable of being sent to Brazil, it has seemed doubtful whether she will ever be brought back. Yet, should it be the fate of the Destroyer to

end her days on the Brazilian coust that sisted that his brother should be freated the same as himself. The brother legan to insult me and I ordered him out of the bouse. My husband went with him, declaring that where marine gun. I rom the very first it has been evident that the worth of the weapon was wholly disconnected with that of the vessel built for the purpose of conducting experiments with it. When Friesson built the Destroye, at private expense, it was in recognition of the fact that a completed war vessel itted up with the subtraction of the fact that a completed war vessel itted up with the subtraction of the gan itself, without it, excessed, might leave undetermined the problem of tuilding a craft in which a submarine gan could be fixed. Heaties, a vessel was very desirable for the purpose of experiments. It is true that a submarine gain was taken to England with a view of selling the right to litto the British (lovernment, and was fired from the shore. The gan was blown to pieces in consequence, it is said of the use of an improperly constructed defonator, made in England. That was the first bailed propositie ever risked in this weards, and slince having been made with dimmines: but ince particular point is to show that the tegring of the submarine gun may go on without a vessel, suited to it, although, of course, it would be vastly more satisfactory, and finally necessary, to have the gun lived from its hormal bostton, below the surface, in a vessel. ments with it. When Eriesson built the Devessel. But a regret must be felt should the De-

But a regret must be felt should the Destroyer be left to decay at Ternambuco, or be sold for other purposes, that experiments with the submarine gun would necessarily be suspended for a considerable time. Congress would perfants, not be likely, especially in a period like the present, to come further to the relief of those interested in the gun. A very liberal appropriation was made before, but since those interested in the gun threw up their chain unon the I nited States towernment and eltained a release of their own obligations during the midst of these experiments, congress would naturally be in no haste to take up the matter. At it, should the Destroyer or another submarine gun be offered for such trials as those interested might provide, official supervision might well be given to such trials on account of the merits of the weapon. It should be remembered that, whatever the defects in the Destroyer alleged by the Peixoto Government, they have apparently nothing to do with the merits of the submarine gun system. It has always been known that this particular vessel ran a great risk of being riddled and such by an enemy long before she could get within the short range of a few hundred and such by sane and processes. ticular vessel ran a great risk of being riddled and sunk by an enemy long before sile could get within the short range of a few hundred vards possessed by her submarine gun. She was designed and constructed in days when modern rapid fire pieces had not received the development they possess to-day. She was built when far less speed was given to vessels relying, as she does, on what is practically torpedo-tube attack, the contrast being enormous between her steam power and that which is given to the Vesuvius for example, and to other vessels much laster than the Vesuvius. The fact that the Destroyer is an unarmored craft except for having an inclined plate running across her, is, of course, still another consideration of importance. She was not very cosity to construct it is said, and as Congress appropriated \$30,000 merely for a single gun or torpedo tube for her, and for experiments therewith, it will be seen that the utilimate fate of the vessel is of small importance to the system. ance to the system.

If the submarine gun should ever be intro-

tance to the system.

If the submarine gun should ever be introduced into que navy or any other, it will probably he put into armorelads, or possibly into
submarine boats, should the latter he successuily constructed. Commander Foiger,
while Chief of ordnance, inclined to the helter
that the submarine gun would prove "a valuable and important adjunct to our defensive
armament, particularly when mounted on
board of vessels intended especially for ramming." He thought the ram would have her
chances thereby quadrupled of being able to
reach her antagonist with destructive effect.
We may hope to see this weapon mounted in
some craft for experimental purposes, even if
the Destroyer should not again be seen in these
waters. As to the use of that particular craft
in hostile operations against Mello's squadron,
the friends of the officers and crew need hardly
mourn much that it does not appear likely to nourn much that it does not appear likely to be attempted.

# WHILE HIS CAR ROLLED DOWN HILL, Dr.ver Ward, Who Wathed, Was Killed by a Horse It Prightened.

When John Ward, a driver employed by the Milland Bailway of Staten Island arrived at the top of the hill in Broad street, Stapleton, on his first trip yesterday morning, he unhitched his horses, as was usual with him, so the car might roll down the bill by its own momentum. Frank Stoddard, a stableman, was left on the car, in which there were no

passengers. As the car stacted, James W. Woodward drove out of Targee street and turned into Broad street. His horse became frightened at the car and ran over Ward while he was de scending the hill with the car horses. Ward was knocked down and his skull fractured, lie diel instantiv, Stoddard seeing his companion killed, bacame ratifed and took the brakes off the car which ran down the hill at ferrile speed. Stoddard leared off and was unburt. The car on reaching the bottom of the hill immed the track and ran up on the sidewalk.

the hill lumber the track and ran up on the sidewalk.

Wart who was 2.1 rears old, was unmarried, and fived in conc. r.t. When asked recently why the horses were taken from the car at the hill be said the branes of the car were worn out, and were not sufficiently strong to keep the gar from ranning into the horses. The company's other employees denied this reacterday. Mr. Woodward was thrown from his carriage, but was not seriously hurt. His horse was slightly injured and the wagon demolished.

# MIL M'KINNLY'S THREE DRINKS,

Had He Acknowledged Their Potency They Would Not Have Cost Him \$5. John Mckinney of 324 Carroll street was

charged with intoxication before Police Justice Haggerty in the Myrtle Avenue Court, in Two policeman swore that he was so drunk that he kept increasing his length on the sidewalk until he was buniled into a patrol wagon and driven to

Mr. McKinney admitted that he had taken hir McKinney admitted that he was able to lake care of himself, and that his arrest was an outrage. He was fined \$5, which was \$6 in excess of what he would have had to forfeit if he had pleaded gully. Mr. McKinney was formerly an officer in the Brooking Tabernesie Sunday School.

THE DRIVEWAY CONTRACT.

CORPORATION COUNSEL CLARK SAYS THE AWARD WAS VALID,

He Holds that dames D. Leavy to Entitled to do the Work-The Park Beard talls for \$200,000 for the New Museum Wing, On motion of President Tappen the larg Board passed resterday the following resolu-

Remost That the till making an appropriate \$200,000 for the completion and equipment of the pro-wing of the American Museum of Autoral Reserve his then accounted to the Board for anagymetron and a prival, and the Board deems it a bill of the milet ineritorious character, as the institution is one of great public importance for the recreation and material of our people, and one of which the city may well be

Commissioner Dans was not present at the meeting. Be called at the office of the Park Department in the morning, and said that be expected to sail for Europe in the afternoon.

The Board received a communication from George Fentrick of 121 East Twelfth street. calling attention to the error in the inscription on the Nathan Hale statue. The inveription describes him as "a Captain in the regular army of the United States." As has shown already. Hale was a Captain in the Continental army. The letter was referred to President Frederick Samuel Tailmadge of the Scelety of the Sons of the Revolution, which erected the statue.

Late in the day Corporation Counsel Clark sent to Comptroller Fitch an opinion holding that the contract awarded by the Park Board to James D. Leary for work on the first section of the Harlem lilver Driveway was valid. Mr.

Of the Daries Hivel Direway was called the Cark Says:

on Jan 15 the Board decided to award the contract, with the Comptrover's approval, to James it Lange, whose bid was \$200,015 to 100 dans 17 to received as communication from the Hon. Paul Dans, one of the tombuselmers of ration Parks, presenting certain observations to the consum a tion of the proposed to direct with Mr. James D. Leary, a copy of which efter a checked with rour communication to mr. Von have, you state, also been in preciping against the award of the contract on the ground in grants the award of the contract on the ground in the provision in made therein for quantity to the first of the foreign of the contract on the ground.

aggrieved, as there has been no waste of the path of funds.
I must hold that the validity of this contract was not affected by the delay in opening the bule.
It is my opinion that the effect of chapter S of the Laws of their is not such as to render owning the present contract, but that the work rendered because it is the passage of the act referred to may be done to the passage of the act referred to may be done to the as the Change in the number of schwarze is one to children as modification of this contract of model a new constitut, which shall include also the confect of the sew constitut, which shall include also the condel a new con real, which shall include also his constitution of aubways under the divisors.

Mr. Leary, as the accessful bidder, has a right that the contract should be exceeded on the approva of his security, and there might be a very serior constitute at low whenever the city would not be fixed to that it damped to the property of the contract.

I advise that you do approve the security on the proposal of James D. Leary, its case you are satisfied of a stequency and sufficiency, and make an immediate period the bid of the statues multiple!

An examination of the bids in this matter shows the bid of Mr. Leary was Solicited to which the centre was solicited to the security of the property of the statues multipled. As examination of the bids in this matter shows the bid of Mr. Leary was Solicited to which the centre was fined to the contract of the property of the contract of the c

PRODUCTE: 400.

I regard this bid of Mr. Leary as a very advantages one for the city. he being very much the lowest thirteen well-known contractors, and in the absence much graver legal objections that are here presented would strongly signed that action may be taken promptly as possible to eatiefy a well-institled his declared for the commencement of this important Mr. Learn's sureties are John G. Moore of the firm of alcore & Schley and John Good 'I is probable that a special meeting of the lark licent will be held to-day in view of Mr. Clark's

### DIVIDING THE MAYOR'S FUND. An Important Project for the Relief of the

The Mayor's Belief Committee held a meet ing yesterday to discuss the disposition of the Henry E. Beekman, representing the Soth Low committee, was present. The Mayor announced that he had received an offer from the managers of all theatres in the city to combine in giving a monster relief benefit The managers believe that if the members of the Police and Fire departments would sell tickets the performance would not nearly \$30,000. It was decided to discuss the question of having these departments undertake the sale of tickets at a meeting to be held next Tuesday. Yesterday it was determined to divide the balance of \$15,000 which the Mayor has on hand as follows: 

Poor United Hebrew Charities Twenty-third and Twenty-fourth Ward Relief Association

Association 1.000
The appropriation of \$435 designated by the Lager Beer Brewers' Board of Trade for the Annexed District Relief Association was authorized, and also the appropriation of \$500 to the St. Vincent de Faul Society, and \$500 to the St. Vincent de Faul Society, and \$500 to the Association for Improving the Condition of the Poor, as designated by Bioominguise Brothers.

The additional subscriptions received at the Mayor's office yesterday amounted to \$300.71.

The Charity Organization Society has sent outered so soliciting orders for the kindling wood The Charity Organization Society has sentout cards societing orders for the kindling wood which is cut in its yard at 516 West Twenty-eighth street. The wood is sold at the regular market rates, and it is stated that there is a large surrous of the product on hand. The yard employs daily about 150 destitute men, many of whom have families dependent upon them, and it is feared that work will have to be refused some of them unless more wood is sold.

The Jewellers' Relief Association requests that manufacturers desiring workmen inquire at the headquarters of the relief fund, where a list of unemployed is kept on file. More than \$3,000 has so far been subscribed for the fund, Tiffany & Co. heading the list with \$500.

The Legion of Justice will give a ball for the benefit of the poor of this city. Brooklyn and Long Island City, at Arlington Hall, on Mooday, Feb. 19.

A meeting of the Executive Committee of the Business Men's Rolleft Committee of the Industrial Christian Alliance was held yesterday afternoon. Reports from various parts of the city were read, showing that distress was increasing. Many applications from charitable organizations for 5-cent meal tickets in quantities for distribution have been received, and a committee was appointed to make an appeal to the public to meet the demand which the giving away of free meal tickets will entail. The new restaurant at 27 State sfreet was opened yesterday. It will have a caracity of 1.800 meals a day. Arrangements are being made to open another 5-cent restaurant on least Sixtieth street, near Becond avenue. The treasurer of the alliance received \$2500 means in Cannes, France. Of this \$50 is to go to the Children's Aid Bociety and the remainder to the general lund. H. Maitland Koreef. The Jewellers' Relief Association requests

restarday from Miss Mary B. Schlestein is now in Canges, France. Of this \$50 is to the Children's Aid Society and the re-der to the general fund. H. Maitiand & of the White Star Steamship Company sent \$50, to be expended in meal tickets.

WORK FOR THE UNEMPLOYED. The Elevation of the Raticoad Tracks is Park Avenue to be Resumed

Comptroller Fitch said resterday that the litigation which stopped work on the elevation of the New York Central Railroad's tracks in Park avenue had been disposed of and that he expected to issue warrants for the tayment of the city's share of the cost of the improvement. Work was stopped several months ago by an injunction obtained by Felice Toes restraining the city from paying its share of rearraining the city from paying its slate of the cost, on the ground that the improved of was not a public work, but for the beneat of the New York Central Railroad.

When the railroad company undertook to raise the tracks the city agreed to pay offer half the expense up to \$750,000. Therefore including was vacated, but he taked of taking an appeal and as there were doubte as to the validity of the agreement retween the city and the Central Railroad, the Comptroller decision and to have out any more more unit the second

not to pay out any more money until tion had been settled. The temptrollenew that no appeal will be taken and t now that no appeal will be taken and the will go on.

The resumption of the work will give beyonent to many hundreds of month the The Bock Commissioners decided the to begin the construction of new ports to begin the construction of new ports to to West Twonty-third street and 100th street. This will give employee manity one hundred men. All the decisions to be a see hundred on eight other pions in the construction.

The Much for Work on the State Capital ALBANT, Feb. 1.—Capitol Communicated Perry new has 1.480 men and boys surpland on the Capitol, and ret there are hundreds t applicants who cannot be accommodated wit work, the limit of these whom it is poss-employ with profit having been readen. Perry says that in all his experience ! ever had to undergo as trying a berief a set throe weeks, when not glore men andreas of women have been arrang at est three weeks, when not alone ment undreds of women have been errors in floe that work might be given has in-elatives. The pressure along this live is trong.

FAMOUS 100,384 Rheumattam and Gout banished forever with the control of the contr